IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

RUSSEL McELMURRY, d/b/a McELMURRY CHEMICAL,)))	
Plaintiff, v.)))	1:04CV389
ALEX FERGUSSON, INC.)	
Defendant.)	

J-U-D-G-M-E-N-T

For the reasons in an Order filed simultaneously herewith,

IT IS HEREBY ORDERED AND ADJUDGED that Defendant's motion for summary judgment (docket no. 30) is **GRANTED** in part and **DENIED** in part. More specifically, the motion is granted as to Plaintiff's claims for conversion and tortious interference with business relations, and the motion denied as to Plaintiff's claims for breach of contract, misappropriation of trade secrets, and unfair or deceptive trade practices.

Wallace W. Dixon

Wally NOW

United States Magistrate Judge

March 8, 2006